

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-15 are currently pending in the present application; Claims 1-3, 6-8, 10-12, and 14-15 are amended. Support for the amendments is found at least in the originally filed specification at page 18, lines 6-19; page 39, line 19 to page 40, line 25; Figure 3a; and Figure 13. Thus, no new matter is added.

In the outstanding Office Action, the Examiner requested a translation of the priority document be submitted; Claim 14 was objected to for informalities; and Claims 1-15 were rejected under 35 U.S.C. § 103(a) as unpatentable over Suzuki (U.S. Patent No. 6,612,488) in view of Seita et al. (U.S. Patent No. 6,729,550, hereafter "Seita").

In response to the request for translation of the priority document, Applicants note that the benefit of priority under 35 U.S.C. § 119 has been obtained. As no art discussed herein may be disqualified by "perfecting" the priority document date via the filing of a translation, Applicants reserve the right to file a translation at a later date, if necessary.

In response to the objection to Claim 14, Applicants have removed the objected to language. Accordingly, the objection is believed to have been overcome. Therefore, it is respectfully requested that the objection to Claim 14 be withdrawn.

In response to the rejection of Claims 1-15 under 35 U.S.C. § 103(a) as anticipated by Suzuki in view of Seita, Applicants respectfully traverse this rejection for the following reasons. Amended Claim 12 recites "a portable information terminal comprising a wireless reader configured to read wirelessly input identification information obtained from a contactless IC chip, which is assigned to a user and used for predetermined settlement, per purchase request, independent of other input." Independent Claims 1, 2, 3, 6, 7, 8, 10, 11, 14, and 15 have been amended to include this feature. Thus, arguments made on behalf of Claim

12 also apply to independent Claims 1, 2, 3, 6, 7, 8, 10, 11, 14, and 15, and claims dependent therefrom.

Neither Suzuki nor Seita describe “a wireless reader configured to read wirelessly input identification information obtained from a contactless IC chip, which is assigned to a user and used for predetermined settlement, per purchase request, independent of other input” as recited in amended Claim 12. Suzuki describes a method for preventing fraudulent payment in credit card transactions.¹ Suzuki prevents fraud by validating a user through transaction terminal 300 by having the user input a pin code to the terminals pin code input 351.² Suzuki describes using pin code information when purchasing merchandise.³ Suzuki does not describe the “wirelessly input identification information obtained from a contactless IC chip” and, moreover, Suzuki does not describe using this “wirelessly input identification information” for “predetermined settlement, per purchase request, independent of other input” as recited in amended Claim 12. Suzuki uses a pin code input 351 rather than the “wirelessly input identification information” as defined by amended Claim 12. Moreover, Suzuki’s pin code input teaches against Claim 12’s recitation of “wirelessly input identification information” used for “predetermined settlement, per purchase request, independent of other input.” Accordingly, Suzuki does not describe this “input” feature of amended Claim 12.

Additionally, Seita is directed toward controlling access to a contactless IC card before allowing use of the IC card function.⁴ Seita describes using a password to gain access to IC card functionality.⁵ Moreover, Seita does not describe settlement procedures in general.⁶

¹ Suzuki, Title, Abstract.

² Suzuki, col. 7, line 61 to col. 8, line 6.

³ Suzuki, Figure 6, col. 9, line 58, to col. 10, line 55.

⁴ Seita, par. [0032].

⁵ Seita, Abstract.

⁶ Seita.

Accordingly, neither Suzuki nor Seita describe using "wirelessly input identification information" for "predetermined settlement, per purchase request, independent of other input," as recited in amended Claim 12. Therefore, it is respectfully requested that the rejection of Claims 1-15 under 35 U.S.C. § 103(a) as unpatentable over Suzuki in view of Seita be withdrawn.

Consequently, in view of the foregoing discussion and present amendment, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

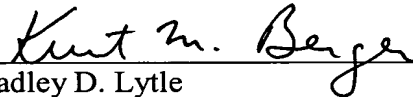
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)


Bradley D. Lytle
Attorney of Record
Registration No. 40,073

BDL:MS\la

I:\ATTY\MS\PROSECUTION\25s\250412US\250412US-AM DUE 08 04 2006.DOC

Kurt M. Berger, Ph.D.
Registration No. 51,461